

THE **DURRANT** LAW FIRM

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February 5, 2023

Via ECF

The Honorable Victor Marrero
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

**Re: Nike, Inc. v. By Kiy LLC, et al., Case No. 1:22-cv-10176-VM – Agreed Request to
Extend Time to Respond to Complaint Due to Illness**

Dear Judge Marrero:

We represent defendants By Kiy LLC, Nickwon Arvinger, and David Weeks (collectively, “Moving Defendants”). This Court’s December 23, 2022 Order made the Moving Defendants’ answer or other response to the Complaint of plaintiff Nike, Inc. (“Nike”) due February 6, 2023.

Lead Litigation Counsel for Moving Defendants, John Durrant, has just tested positive for COVID-19 (i.e., on the evening of Saturday February 4, 2023) and is currently unwell. The illness has and will interfere with the finalization of Moving Defendants’ response papers. Nike has agreed to a one-week extension of time to respond to the Complaint until February 13, 2023.

Moving Defendants therefore respectfully request that the Court extend the time for

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Moving Defendants to answer, move to dismiss, or otherwise respond to Nike's Complaint until February 13, 2023.

Respectfully submitted,

/s/ John Durrant

John Durrant, Esq. (*admitted pro hac vice*)
Founder and Chief Executive officer of
THE DURRANT LAW FIRM, APC

/s/ Zakari A. Kurtz

Zakari A. Kurtz, Esq. (Counsel of Record)
Principal Attorney
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